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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 000573

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP; NSC FOR E.PHU

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SUBJECT: LEGISLATIVE ELECTIONS -- COURT ALLOWS "QUICK COUNTS"; CHRISTIAN AREAS TO VOTE LATER

REF: JAKARTA 00557 AND PREVIOUS

Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

¶1. (U) This message was coordinated with Consulate General Surabaya.

¶2. (C) SUMMARY: Ten days before the April 9 legislative elections, the Constitutional Court has decided to allow pollsters to announce "quick count" results on election day. With the GOI set to announce final results only in May, the quick counts will be key in assessing which party has the early advantage in the voting. The Election Commission has also acquiesced to demands from two Christian districts to delay elections until April 14 to avoid conflicting with the Easter religious holidays. Meanwhile, the campaign pace is quickening, with the Islamic-oriented Prosperous Justice Party (PKS) holding a huge rally in Jakarta on March 30. END SUMMARY.

CONSTITUTIONAL COURT RULING

¶3. (U) The Constitutional Court decided on March 30 that polling companies and policy institutes can release their quick count results on election day, April 9. This ruling overturns an article of Indonesia's election law which stipulated that pollsters could not release results until one day after elections. Violators face imprisonment. The Court dismissed the argument that survey results would unfairly advantage parties which could afford to pay off pollsters, citing a lack of evidence that surveys influence people's voting behavior. (Note: Polling outfits have used quick counts in previous elections in Indonesia, including during the 2004 presidential elections.)

TWO CHRISTIAN DISTRICTS TO VOTE APRIL 14

¶4. (SBU) Indonesia is bending over backward to respect Christian religious sensitivities. The national Election Commission--which goes by the acronym "KPU"--has decided to allow two Christian districts in East Nusa Tenggara Province (NTT)--East Flores and Lembata Island--to delay elections until April 14. The KPU reluctantly made the decision after realizing that no one in the staunchly Christian areas would staff the polling booths April 9 (per a boycott that local groups had announced). Good Friday falls on April 10, the day after the national legislative elections (it is a national holiday), and some Christian areas celebrate the day before also as "Maundy Thursday" (Holy Thursday). Maundy Thursday celebrations are mostly concentrated in East Flores and Lembata.

¶5. (SBU) The KPU decision only partially satisfies Christian demands. Christian groups in Kupang, West Timor, have demonstrated for weeks against the KPU election date. NTT

Governor Frans Lebu Raya noted that he initially expected the April 14 date to be applied provincewide. Although the decision was not applied throughout NTT, he acknowledged that the decision was important as it demonstrated that the central government respected other religions (in addition to those of the majority Muslim community).

¶6. (C) The KPU decision has not been universally popular. Echoing comments by some politicians, Tifatul Sembiring, Chair of the Islamic-oriented Prosperous Justice Party (PKS), expressed his opposition to the KPU decision. He told the media that if the April 14 date was allowed then other regions would also want a delay, which could "cause security problems, lead to ballot fraud, and cost more money." Other contacts have told us that the delay is not an issue and will not cause administrative/logistical problems, especially given the fact that the two regions in question are small and relatively lightly populated.

ISLAMIC-ORIENTED PARTY HOLDS BIG RALLY

¶7. (SBU) In our "flavor of the campaign" section, the PKS held a large rally in Jakarta on March 30. Tifatul addressed his party's supporters at what was to date Indonesia's largest party rally for this election season--with over 100,000 enthusiasts packing Sukarno Stadium. Poloff and Pol FSN attended the rally. It was approximately three times the size of President Yudhoyono's Partai Demokrat (PD) rally the previous week, which was considered a large rally. (Note: PD leads in most polls.)

¶8. (C) PKS is well known for its strong organizational

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skills and grassroots support. This was clear at the rally--the masses were enthusiastic but orderly. About thirty percent were women, mostly wearing headscarves. Teams of female security guards were dispersed throughout the crowds wearing orange headscarves or jackets, passing out expensive lunch boxes to the crowd. A long line of male security guards linking arms and wearing orange turban-like scarves stretched across the grass in front of the podium. A police helicopter hovered overhead to maintain order.

¶9. (C) Tifatul struck a balance between the party's religious and populist appeal. Between exclamations of "Allah Hu Akbhar" (The Almighty is Great) he urged the throngs of white clad PKS supporters to remember that PKS is - "A Party For Everyone". To show this, he sang a duet with one of the famous singers from a well-known band, while PKS legislative candidates served as backup.

¶10. (C) Tifatul also stressed the PKS message of clean governance, using an example. A disgraced and dismissed National Mandate Party (PAN) legislator, Adbdul Hadi Djamal, on trial for bribery, implicated PKS legislator Rama Pratama in the case. Tifatul proudly announced at the rally that the Corruption Eradication Commission had dismissed Pratama's case. Tifatul roared: "We will not tolerate corruption!" and the crowd chanted "corruption, no, nepotism, no!"

¶11. (C) Sources and polls indicate that PKS is not currently all that popular despite its strong organizational and grassroots support, and apparently sound funding (some say from the Middle East). It did very well in 2004, winning 8% of the Parliamentary seats and 7% of the national vote. Started as a campus movement, it is strong in urban centers such as Jakarta-- where it won 24% of the total vote in 2004 (its goal in 2009 is 50% of the Jakarta vote). It also has been successful at spreading out to the countryside through Islamic schools. Nonetheless, PKS continues to struggle to put a nationalist coat over its religious garb, and its campaign has not had much momentum, so far, though the March 30 rally--which by any measure was a success--might serve to spark party faithful.

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